



ADAMS STERN GUTIERREZ & LATTIBOUDERE, LLC

744 Broad Street, Suite 1600
Newark, NJ 07102
973-735-2742
Fax 973-735-2743
www.asglaw.com

February 9, 2009

The Honorable Peter G. Sheridan, U.S.D.J.
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

*status/settlement
conference on Feb 17, 2009
at 12:00*
SO ORDERED: *Peter Sheridan*

DATED: 2/10/09

Re: Dwayne T. Tatum v. Newark Public Schools, et als.
Civil Action No. 07-cv-445 (PGS-ES)

Dear Judge Sheridan:

This office represents the interests of the Newark Public Schools in the above referenced matter. At a phone conference held today with the Honorable Esther Salas, U.S.M.J., the parties were informed of an April 6, 2009 trial date. I can represent to Your Honor, on behalf of all of the attorneys involved in this litigation, that none of our offices received notice of the trial date. In fact, the parties have not had a pretrial conference and according to the last scheduling order and the amendments thereto, all discovery was scheduled to close on January 31, 2009. [See Documents 28 & 31 on Docket Report]. There is also an outstanding discovery motion which may or may not require the exchange of additional documentation. Thus the parties are concerned about the rapidly approaching trial date to which we had no knowledge of.

The Defendants in this matter both plan to file dispositive motions and settlement discussion are currently being explored. For those reasons, the parties respectfully request an adjournment of the April 6, 2009 trial date. Unless an extension is granted, Judge Salas has order that dispositive motions be filed in ten days (February 19, 2009). As Your Honor can appreciate this is a very short time period to complete such a motion and additionally could have a chilling effect on settlement discussions.

I appreciate your kind attention to this matter and consideration of our request.

Respectfully submitted,

ERIN E. MCLAUGHLIN

KAREEM CRAWFORD

AVION BENJAMIN